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the abutment of claim 1 has a radially directed flange for mounting to the base part of the housing. The use of the mounting flange ensures that the abutment is securely attached to the base part so that the abutment can withstand the forces generated by the supply pressure. Applicant pointed out that the separator of *Jones* does not have an abutment for preventing the supply pressure on the rotor from lifting the rotor and/or the cover away from the base and turning them into projectiles, wherein the abutment of the claimed invention has a radially directed flange for mounting to the base part of the housing. Applicant further pointed out that in *Jones*, the guard is only attached by means of spring-pressed detents 25 and therefore can be removed by merely lifting a handle 36, and the spring-pressed detents 25 cannot withstand the forces generated by the supply pressure and therefore cannot prevent the supply pressure from lifting the rotor and/or the cover away from the base when the cover is in the process of being removed.

In response, the Examiner stated that Applicant had not shown any structural difference between the claimed invention and *Jones*. Applicant respectfully disagrees. In response to the previous Office Action, as noted above, Applicant pointed out that *Jones* does not disclose an abutment having a radially directed flange for mounting to the base part of the housing. This feature is clearly structural. Therefore, Applicant has pointed out at least one structural difference between the claimed invention and *Jones*.

The Examiner stated that he considered the detents (25) as equivalent to the flange of the present invention. Applicant respectfully disagrees for at least the following two reasons. First, in the claimed invention, as recited in claim 1, the abutment includes a radially directed mounting flange. In other words, the mounting flange is part of the abutment. In *Jones*, on the other hand, the "detents 25 [are] secured in arms 26 which extend radially inward from the rotor casing (emphasis added)" (column 2, lines 53-56). In other words, the detents are part of the casing and are not part of the annular guard 24. Therefore, *Jones* does not disclose an abutment that includes a flange (i.e. an annular guard 24 that includes detents 25). Accordingly, for this reason, claims 1-6, 8, 9 and 11 are not anticipated by *Jones*.

Second, the detents 25 of *Jones* are clearly not a flange. A flange is defined as "[an] external or internal rib, or rim, for strength, ... or for attachment to another object..." *Webster's Revised Unabridged Dictionary*, 1996, 1998 MICRA, Inc. The detents 25 of *Jones*, on the other hand, are merely spring-pressed balls that are contained in arms 26 (see

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Figure 1 and column 2, lines 53-56). The spring-pressed balls are clearly not rib or rim and do not have the elongated configuration of a rib or rim. Therefore, Jones does not disclose an abutment that includes a flange. Accordingly, for this reason, claims 1-6, 8, 9 and 11 are not anticipated by *Jones*.

Additionally, the separator of claims 1-6, 8, 9 and 11 is not anticipated by Jones for the reason that Jones does not disclose a radially directed mounting flange that secures the abutment to the base part so that axial force exerted by the elevated pressure is unable to lift the rotor and cover away from the base part. The Examiner stated that Applicant has not demonstrated that the detents of Jones cannot secure the annular guard against axial force exerted by the supply pressure. Although Applicant is prepared to submit an affidavit from an expert to that effect, Applicant would like to point out that it is the Examiner who has the initial burden to show that the indents of *Jones* secure the annular guard to the housing, as recited in claim 1. The Examiner did not even address this claim limitation and has not establish that this limitation of claim 1 is disclosed by *Jones*. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

The Examiner stated that the claims do not include a limitation drawn to supply pressure. Applicant has amended claim 1 to recite that the flange secures the abutment to the base part of the housing so that axial force exerted by the elevated supply pressure is unable to lift the rotor and cover away from the base part. Because of this limitation, claim 1, and therefore claims 2-6, 8, 9, and 11, are not anticipated by *Jones*.

Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Jones* in view of *Brimhall* (U.S. Patent 5,665,047). For the following reasons, it is respectfully submitted that claim 12 is patentable over the cited references.

Since claim 12 depends from amended claim 1, the separator of claim 12 also includes the abutment of amended claim 1. As discussed above, *Jones* does not disclose or suggest the abutment of amended claim 1. In addition, the Office Action does not allege that *Brimhall* discloses or suggests this feature. Therefore, the Office Action has not established that the cited references disclose or suggest every element of claim 12. Accordingly, claim 12 is not obvious over the cited references.

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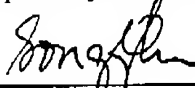
Claim 15 is patentable over the cited reference because none of the cited references teach or suggest that a mounting flange that includes at least one mounting aperture having a varying radial width circumferentially and a base part that has a corresponding number of headed fasteners each adapted to pass through the at least one mounting aperture at a point of greatest radial width but prevented from passing through at a point of least radial width.

In light of the foregoing remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #178/50688).

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Respectfully submitted,



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